



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Brines et al.

Confirmation No.:

5119

Application No.: 09/717,057

Art Unit:

1647

Filed:

November 21, 2000

Examiner:

DeBerry, Regina M.

For:

MODULATION OF EXCITABLE

Attorney Docket No.:

10165-010-999

TISSUE FUNCTION BY

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT_UNDER 37 C.F.R. §1.56

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references FF to FK listed on the attached revised form PTO-1449. This application is a divisional of U.S. Serial No. 09/547,220, filed April 11, 2000, which claims benefit of U.S. provisional application no. 60/118,030, filed April 13, 1999 (expired). A copy of each of the identified references is provided herewith.

Identification of the listed references are not to be construed as an admission of the Applicants or Attorneys for the Applicants that such references are available as "prior art" against the subject application.

The Applicants respectfully request that the Examiner review the foregoing references

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and that the reference be made of record in the file history of the application.

This Supplemental Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. A credit card form is attached providing for the \$180.00 fee for the filing of the IDS in accordance with 37 C.F.R 1.17(p).

Bv

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Respectfully submitted,

PTO/SB/08B (07-05) Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known				
Application Number	09/717,057			
Filing Date	November 21, 2000			
First Named Inventor	Brines			
Art Unit	1647			
Examiner Name	R. Deberry			
Attorney Docket Number	10165-010-999			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	FF	LU et al., Erythropoietin enhances Neurogenesis and Restores Spatial Memory in Rats After Traumatic Brain Injury, Journal of Neurotrauma, 2005, 1011-1017, 22-9	
	FG	MOGENSEN et al., Pharmacology, Biochemistry, and Behavior, 2004, 381-390, 77	
	FH	KUMRAL et al., Erythropoietin improves long-term spatial memory deficits and brain injury following neonatal hypoxia-ischemia rat, Behavioral Brain Research, 2004, 77-86, 153	
	FI	Ehrenreich, Erythropoietin: a candidate compound for neuroprotection in schizophrenia, Molecular Psychiatry, 2003, 1-13.	
	FJ	VAN DER MEER et al., JACC, 2005, 125-133, 46-1.	
	FK	KESWANI et al., A Novel Endogenous Erythropoietin Mediated Pathway Prevents Axonal Degeneration, ANN Neurol, 2004, 815-826, 56.	
	·		

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: